

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 15, 2006, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, AND ROBERT L. PROUD, VICE PRESIDENT. LET THE RECORD SHOW THAT COMMISSIONER CROSWELL JOINED SESSION SHORTLY THEREAFTER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 19-06/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **19-06** resolving to sign all Recap Sheets covering all bills presented this date and authorizing payment of same except as noted.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mrs. Walker, Yes; Mr. Croswell, Absent.

**IN RE: VETERANS’ SERVICE COMMISSION...REQUEST FOR AN INCREASE IN COMPENSATION FOR THE VETERANS’ SERVICE COMMISSION BOARD MEMBERS...06-0209-001...APPROVED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark Coyle, Director, Veterans’ Service Commission, with the concurrence of David L. Spinney, County Administrator, to approve the request for an increase in compensation for any **newly appointed term or reappointed term** to the Veterans’ Service Commission Board from \$425.00 to \$450.00 per month, pursuant to Section 5901.04 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY EMPLOYEE...04-1004-002...EXECUTED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of Cynthia DeWitt, Assistant County Administrator, to execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name	Amount
County Sheriff Duyane Ernst	Direct Study of Criminal Justice Preparatory Mathematics	\$594.12

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mrs. Walker, Yes; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 2, FINAL, TO THE CONTRACT (CONTRACT NUMBER 621-0970-1) WITH CB&I CONSTRUCTORS, INC. FOR PROJECT NUMBER 621-0970 RELATIVE TO THE GUINEA AREA ELEVATED WATER STORAGE TANK PROJECT SITUATED WITHIN MIAMI TOWNSHIP...03-0620-004...EXECUTED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark Jaehnen, Engineering Coordinator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute Change Order Number 2, Final, to the Contract (Contract Number 621-0970-1) with CB&I Constructors, Inc., Blaymore II, Suite 201, 1603 Carmody Court, Sewickley, Pennsylvania 15143, previously ratified by the Board of County Commissioners on 09/23/03 and subsequently amended on 05/11/05, for Project Number 621-0970 relative to the Guinea Area Elevated Water Storage Tank Project situated within Miami Township, which represents a time extension of 21 calendar days for a *revised* contract completion date of 06/17/05, for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mrs. Walker, Yes; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...RELEASE OF MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF WATER AND/OR SANITARY SEWER MAIN EXTENSIONS AND ACCEPTANCE OF SAME INTO THE COUNTY WATERWORKS/ SEWER SYSTEMS...APPROVED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize the release of Maintenance Bonds which provided surety for the installation of water and/or sanitary sewer main extensions to serve the following subdivisions/locations and to accept said water and/or sanitary sewer main extensions into the County Waterworks/Sewer Systems pursuant to the Clermont County Sewer District Rules and Regulations:

Subdivision/Location	Township	Water	Sewer
Santoro Development Eight Single Family Lots DC# 04-1025-006  *Secured by Cashier’s Check Number 257437 issued by National Bank & Trust, Wilmington, Ohio, dated 10/19/04, in the amount of \$1,000.00 on behalf of Angelo Santoro.	Batavia		\$1,000.00*
Berger Drive Water Extension DC# 04-1210-005  *Secured by Official Check Number 387780964 issued by Provident Bank, Cincinnati, Ohio, dated 11/30/04, in the amount of \$1,000.00.	Stonelick	\$1,000.00*	

Sandy’s Farm Subdivision Phase 1 DC# 04-1210-003  *Secured by Certified Check Number 5387 in the name of Harold Shevers, One Sporty’s Drive, Batavia, Ohio 45103, dated 12/01/04, in the amount of \$2,000.00.	Batavia	\$2,000.00*	
Foxpointe Subdivision Section 1 DC# 04-1124-002	Batavia	\$3,500.00	
The Polo Fields Subdivision Part 17A2 DC# 04-0920-004  *Secured by Cashier’s Check Number 030511 issued by First Clermont Bank, 400 TechneCenter Drive, Milford, Ohio 45150 in the amount of \$1,500.00.	Union		\$1,500.00*
Little Creek II Subdivision Phase 1 DC# 04-1112-003  *Secured by Certified Check Number 3996 issued by Paul Grammas, Paul Grammas Family LP, 634 East Ohio Pike, Suite H, Cincinnati, Ohio 45245, in the amount of \$3,920.00, which included \$1,700.00 for a Water Bond relative thereto.	Batavia		\$2,220.00*
Woodland Streams Subdivision Section 1 Block A DC# 03-0212-001	Goshen	\$4,300.00	
Woodland Streams Subdivision Section 1 Block B DC# 04-0920-005	Goshen	\$2,000.00	
The Estates at Shayler Ridge at Wetherby Farms Section 1 DC# 05-0128-011	Union	\$5,200.00	
Wetherby Farms Subdivision Section 2 DC# 05-0128-012	Union	\$8,700.00	
Marion’s Way DC# 04-1112-002  *Secured by Irrevocable Standby Letter of Credit Number 60-201689-7B issued by the Union Savings Bank, 8534 East Kemper Road, Cincinnati, Ohio 45249.	Pierce		\$1,000.00*
Braxton Parke Subdivision Section 6 Block A DC# 04-0813-006	Batavia	\$1,000.00	\$1,750.00
Braxton Parke Subdivision Section 6 Block B DC# 04-1025-005	Union	\$1,000.00	
Crosspointe PUD Subdivision Section 2 Block C DC# 04-0913-004	Batavia	\$1,000.00	
Crosspointe Subdivision Section 3 Block A DC# 04-1124-005	Batavia	\$1,500.00	
Eastgate Mall DC# 04-0319-002	Union	\$1,000.00	

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mrs. Walker, Yes;        Mr. Croswell, Absent.

**IN RE:            CLERMONT COUNTY SEWER DISTRICT...ACCEPTANCE OF THE CONTRACT WITH LARRY SMITH CONTRACTORS, INC. FOR PROJECT NUMBER 651-0510 RELATIVE TO THE SR 131, DRY RUN ROAD, MELODY LANE, LINDA WAY, HILLTOP WAY, AND GREIMANN LANE SEWER PETITION PROJECT LOCATED WITHIN MIAMI TOWNSHIP AS COMPLETE, AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 12, FINAL, FOR THE PROGRESS PAYMENT AND RELEASE OF RETAINAGE RELATIVE THERETO...03-0505-002...APPROVED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Office of Management and Budget, with the concurrence of Lyle G. Bloom P.E., Sanitary Engineer, Clermont County Sewer District, to accept the Contract by and between the County of Clermont, Ohio, and Larry Smith Contractors, Inc., 5737 Dry Fork Road, Cleves, Ohio 45002, for Project Number 651-0510 relative to the SR 131, Dry Run Road, Melody Lane, Linda Way, Hilltop Way, and Greimann Lane Sewer Petition Project located within Miami Township as Complete as of 07/22/04; to approve the Estimate for Partial Payment Number 12, Final, which represents a progress payment in the amount of \$19,155.47 and the release of retainage in the principal amount of \$44,000.16, plus accrued interest earned thereon relative thereto; and further, to authorize the Clermont County Auditor to issue the referenced progress payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mrs. Walker, Yes;        Mr. Croswell, Absent.

**IN RE:            CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBERS 20-06 THROUGH 22-06/RESOLUTIONS CERTIFYING DELINQUENT UTILITY CHARGES TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON THE REAL PROPERTY TAX LIST AND DUPLICATE...ADOPTED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Controller, Clermont County Sewer District, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Numbers **20-06 through 22-06** to certify delinquent utility charges to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibits A, attached thereto and made a part thereof, pursuant to Sections 6103.02 and 6117.02 of the Ohio Revised Code, as outlined below:

Delinquent Utility	Resolution Number	Total Amount
Sewer Charges DC# 06-0203-005	20-06	\$ 1,592.94

Water Charges DC# 06-0203-006	21-06	\$ 1,714.50
Miscellaneous Utility Charges DC# 06-0203-007	22-06	\$ 2,096.89

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mrs. Walker, Yes;      Mr. Croswell, Absent.

**IN RE:            COUNTY ENGINEER...RESOLUTION NUMBER 23-06/RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO EMPLOY LABOR, PURCHASE MATERIALS AND PROCEED BY FORCE ACCOUNT IN THE MAINTENANCE, REPAIR, CONSTRUCTION AND RECONSTRUCTION OF ROADS, BRIDGES AND CULVERTS IN CLERMONT COUNTY, OHIO...06-0213-001...ADOPTED**

Moved by Mr. Proud, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **23-06** authorizing the County Engineer to employ labor, purchase materials and proceed by force account in the maintenance, repair, construction, and reconstruction of roads, bridges and culverts in Clermont County, Ohio, during Fiscal Year 2006, with the County Engineer to submit the estimates of cost before proceeding with each project to the Board of County Commissioners using the force account assessment form developed by the Auditor of State, pursuant to Section 117.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mrs. Walker, Yes;      Mr. Croswell, Absent.

**LET THE RECORD SHOW:** COMMISSIONER CROSWELL JOINED SESSION AT THIS TIME.

**IN RE:            COUNTY ENGINEER...RECORD PLAT NUMBER 629-2405 FOR THE REPLAT OF LOT 1 OF O'BANNON WOODS SUBDIVISION AND LOT 133 OF FAIRWAYS AT O'BANNON CREEK SUBDIVISION, SECTION ONE, BLOCK A LOCATED IN MIAMI OR GOSHEN TOWNSHIPS...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2405** for the Replat of Lots in the following subdivisions within Miami or Goshen Townships, with no Performance-Maintenance Bond for public improvements required therefore:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lot 1 O'Bannon Woods Subdivision Miami Township DC# 06-0130-007 and Replat of Lot 133 Fairways at O'Bannon Creek Subdivision	629-2405	To create new Lots 9 and 152

Section One/Block A Goshen Township DC# 06-0130-008		
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Croswell, Yes;    Mrs. Walker, Yes.

**IN RE:            COUNTY ENGINEER...WETHERBY FARMS SUBDIVISION/SECTIONS 4 AND 5/UNION TOWNSHIP...RECORD PLAT NUMBERS 629-2406 AND 629-2407 AND COMBINED PERFORMANCE-MAINTENANCE BONDS, AS WELL AS, PERFORMANCE BONDS FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2406 and 629-2407** for the following subdivision within Union Township, and further to execute the Combined Performance-Maintenance Bonds, as well as, Performance Bonds for Sidewalks as surety for same relative to the construction of the below listed streets:

Subdivision/Location	Performance-Maintenance	Sidewalk	Street/Length (miles)
Wetherby Farms Subdivision Section 4 Union Township <b>Record Plat Number 629-2406</b> DC# 06-0210-001	\$38,000.00/\$10,000.00	\$33,380.00	North Yorkshire Square (0.08) North Gensen Loop (0.08) West Anson Drive (0.10) Prospect Lane (0.05)
Wetherby Farms Subdivision Section 5 Union Township <b>Record Plat Number 629-2407</b> DC# 06-0210-003	\$30,000.00/\$10,000.00	\$26,340.00	South Yorkshire Square (0.12) Greenshire Lane (0.04) South Gensen Loop (0.09)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Proud, Yea;    Mrs. Walker, Yes.

**IN RE:            COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO THROUGH TRAFFIC AT THE INTERSECTION OF BRANCH HILL GUINEA PIKE AND WARDS CORNER ROAD IN MIAMI TOWNSHIP...06-0208-002...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic at the intersection of Branch Hill Guinea Pike and Wards Corner Road in Miami Township for the period of **Monday, 02/20/06 through Friday, 02/24/06**, for intersection improvements, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO THROUGH TRAFFIC ON TWELVE MILE ROAD IN OHIO TOWNSHIP...06-0210-004...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Twelve Mile Road in Ohio Township for the period of **Tuesday, 02/21/06, through Friday, 04/21/06**, for a bridge replacement, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ACKNOWLEDGMENT OF THE PURCHASE OF PROPERTY LOCATED IN CLERMONT COUNTY, OHIO, FROM DUANE FERGUSON, AS WELL AS, THE EXECUTION OF DOCUMENTS RELATIVE THERETO...05-1020-003...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to acknowledge the closing on 02/13/06 for the purchase of property consisting of sixty-four one hundredths (0.64) acres of land located in Union Township, Clermont County, Ohio, for Parcel Number 41-32-15E-089, from Duane Ferguson, 4263 Ferguson Drive, Cincinnati, Ohio 45245 for the purchase price of Seventy Thousand and no/100 Dollars (\$70,000.00), in accordance with the terms and conditions of the Agreement for Sale and Purchase of Real Estate previously executed on 10/14/05, and to acknowledge the authorization for the County Administrator to execute any and all documents relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF RE-APPOINTMENTS TO SERVE ON THE PUBLIC DEFENDER COMMISSION...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to re-appoint the following individuals to serve on the Public Defender Commission, pursuant to Section 120.13 of the Ohio Revised Code as outlined below:

Appointee	Effective Date
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Dexter Bastin Attorney-at-Law 285 East Main Street Batavia, Ohio 45103 DC# 03-0226-003	01/15/06 to 01/14/10
Charles D. Lawrence 5635 Harvest Ridge Drive Milford, Ohio 45150 DC# 02-0212-003	01/15/06 to 01/14/10

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Croswell, Yes;    Mrs. Walker, Yes.

**LET THE RECORD SHOW:** That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of **02/15/06** carried with all members present voting.

**IN RE:            ADJOURNMENT...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Proud, Yea;    Mrs. Walker, Yes.



**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

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**MARY C. WALKER, PRESIDENT**

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**ROBERT L. PROUD, VICE PRESIDENT**

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**R. SCOTT CROSWELL III, MEMBER**

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**JUDITH KOCICA, CLERK OF THE BOARD**

02/15/06  
**DATE APPROVED**